

recite a computer system including a computer readable medium. The Section 101 rejection is respectfully traversed and reconsideration is respectfully requested.

Claims 1-2, 4, 10, 12-14, 16, 22 and 24-31 stand rejected under 35 U.S.C. 102(b) as being anticipated by Patent 5,880,768 to Lemmons.

With regard to Claims 1 and 13, the Examiner states that Lemmon discloses a method and computer readable medium comprising wherein Lemmon determines the number of block instances available by limiting the block instances to a maximum of three 30 minute time columns and 5 channel rows (Fig. 3, col. 8, lines 43-64). The Examiner further states that the Lemmon reference discloses determining which subset of program schedule information should be displayed to the user at any given time (col. 8, lines 58-61), mapping the available information attribute sets to generate mapped block instances and displaying the mapped block instances contiguously.

In response, Applicant has amended the independent claims to recite that the IPG is three-dimensional. Lemmons discloses only a two-dimensional IPG that does not disclose the recited mapping of the available information attribute sets to the number of available block instances generate the mapped block instances. None of the Claims 1-2, 4, 10, 12-14, 16, 22 or 24-31 are therefore anticipated by Lemmons. The Section 102(b) rejection of these claims is therefore respectfully traversed and reconsideration is respectfully requested.

With regard to Claim 25, the Examiner states that Lemmons discloses a system comprising a processor, memory coupled to the processor, the memory operable to include a first queue to store active data elements and a second queue to store inactive data (col. 7, lines 49-62) wherein the active data elements are displayed in visible block instances in an interactive programming guide. Applicant respectfully disagrees with the Examiner's interpretation of Lemmons as including a memory queues in which active data elements and inactive data elements are separately stored since Col. 7, lines 49-62 fails to disclose them and there is no disclosure in Lemmons to separate active data elements from inactive data elements in separate queues. Indeed, they could easily be intermingled in Lemmons. The Section 102(b) rejection of Claim 25 is therefore respectfully traversed and reconsideration is respectfully requested.

With regard to Claims 2, 14 and 26, the Examiner states that Lemmons discloses that each of the mapped blocked instances is associated with one or more structure attributes (such as its color or absence thereof, whether it is highlighted or not, block size (Fig. 4 and col. 10, lines 5-34). With regard to Claims 4 and 16, the Examiner states that Lemmons discloses "that when the number of available information is less than the number of block instances, one or more block instances is not visible to the viewer (the portion not shown to the user, col. 7, lines 49-51)". Regarding Claim 27, the Examiner states that Lemmon "discloses that each data element is associated with one or more information attributes (such as containing program title, rating, theme,

length, etc for a program, col. 8, lines 64-47, stored in memory fig. 2.76 and col. 7, lines 28-30)". Regarding Claim 28, the Examiner states that "Lemmon discloses that the visible block instances are displayed contiguously (fig. 3)." Regarding Claims 10, 22 and 29, the Examiner states that "Lemmons discloses that the mapped block instances are displayed contiguously on a surface (fig. 3)." With regard to Claims 12 and 24, the Examiner states that "Lemmons discloses that the surface is associated with one or more surface attributes (such that the surface is opaque, full-screen, divided into a c by 6 grid, etc. see fig. 4)." However, Lemmons is only two-dimensional. The Section 102(b) rejection of these claims is therefore respectfully traversed and reconsideration is respectfully requested.

With regard to Claim 30, the Examiner states that "Lemmons discloses that an inactive data element is displayed in a visible block instance by moving the inactive data element from the inactive queue to the active queue (as the user selects navigates the EPG, new program data is retrieved and old program data is returned to memory, col. 7, lines 48-65)." With regard to Claim 31, the Examiner states that "Lemmons discloses that an inactive data element is displayed in the visible block instance by swapping the inactive data element with an active data element being displayed in the visible block instance (col. 7, lines 48-65 and col. 10, lines 35-43)." However, both of these Section 102(b) rejections are misplaced since Lemmons fails to disclose the separation of the active data elements from inactive data elements in separate queues. Indeed, Lemmons' active data

elements could be intermingled in memory with the inactive data elements and separated only upon display. The Section 102(b) rejection of Claim 25 is therefore respectfully traversed and reconsideration is respectfully requested.

Claims 3 and 15 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Lemmons in view of Morrison. Specifically, the Examiner states that Lemmons discloses the method and computer readable medium of Claims 2 and 13, but fails to disclose whether the number of available information attributes is less than the block instances, two or more block instances are mapped with the same information attributes, but that Morrison discloses whether the number of available information attributes is less than the block instances two or more block instances are mapped with the same information attributes (see Terminator 2: Judgement Day," fig. 5). The Examiner states that it would have been obvious to one skilled in the art at the time the invention was made to combine the attribute mapping of Morrison to the EPG of Lemmons to provide a helpful EPG to the user even when there are more block instances information attributes.

Applicant respectfully urges that neither Lemmons nor Morrison provide the required teaching, motivation or suggestion for the asserted combination. Further, a combination of Lemmons with Morrison would not result in a mapping of two or more block instances with the same information attributes. Rather, the same information attribute would merely extend across the two or more block instances. Therefore, the combination of Lemmons and

Morrison would teach away from the claimed invention of Claim 3 and 13. Applicant therefore respectfully urges that a prima facie showing of obviousness has not been set forth. The obviousness rejection is therefore respectfully traversed and reconsideration is respectfully requested.

Claims 5 and 17 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Lemmons in view of Wehmeyer. The Examiner states that Lemmons discloses the method and computer readable medium of Claims 2 and 13 but fails to disclose that when the number of available information attributes is less than the number of block instances, the number of displayed mapped block instances is less than the number of available block instances. The Examiner further states that Wehmeyer discloses that when the number of available information attributes is less than the number of block instances, the number of displayed mapped block instances is less than the number of block instances (that is, when there is no information attribute for a certain place on the EPG grid, there is no block at all). The Examiner states that it would have been obvious to one skilled in the art to combine the attribute mapping of Wehmeyer to the EPG of Lemmons to provide the user with an EPG that was uncluttered and easy to use.

Applicant respectfully urges that neither Lemmons nor Wehmeyer provide the required teaching, motivation or suggestion for the asserted combination. Further, a combination of Lemmons with Wehmeyer would not result in displaying mapped block instances that is less than the number of available block

instances. Rather, Wehmeyer simply teaches a reminder "Call Mom" that would not constitute mapped block instances within the meaning of the patent specification. The obviousness rejection is therefore respectfully traversed and reconsideration is respectfully requested.

Claims 6-7 and 18-19 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Lemmons ('768) in view of Lemmons ('011). Specifically, the Examiner states that Lemmons '768 discloses the method and computer readable medium of Claims 1 and 13 but fails to disclose wherein each displayed mapped block instance is manipulated independently of the other displayed mapped block instance. The Examiner states that Lemmons '011 discloses that each displayed mapped block instance is manipulated independently of the other displayed mapped block instance. The Examiner states that it would have been obvious to one skilled in the art to combine the block instance manipulation of Lemmons '011 to the EPG of Lemmons '768 to allow greater customization and ease of use to the viewer. The Examiner also states that Lemmons further discloses that each displayed mapped block instance is manipulated by modifying the associated one or more structure attributes.

Applicant respectfully disagrees with both of the Examiner's statements. Specifically, Col. 5, line 31-51 fails to teach independent manipulation. Rather, it seems that what is taught is dependent manipulation since the selected preference attribute are all acted upon together (all John Wayne movies). The

obviousness rejection is therefore respectfully traversed and reconsideration is respectfully requested.

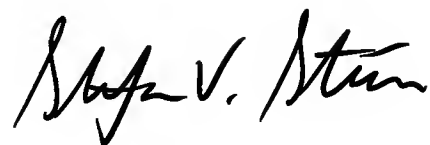
Claims 8-9 and 20-21 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Lemmons '768 in view of Lemmons '011 and in further view of Ellis. With regard to Claims 8 and 20, the Examiner states that Lemmons '768 and Lemmons '011 disclose the method and computer readable medium of Claims 6 and 18 but fail to disclose that each displayed mapped block instance is manipulated by modifying the associated one or more information attributes. The Examiner states that Ellis discloses that each displayed mapped block instance is manipulated by modifying the associated one or more information attributes (such as by altering the text of certain program blocks, figs. 8-11 and col. 9, lines 3-46). The Examiner states that it would have been obvious to one skilled in the art to combine the text altering of Ellis to the EPG of Lemmons '768 and Lemmons '011 to allow greater customization for the viewer. Regarding Claims 9 and 21, the Examiner states that Lemmons '011 discloses that each displayed mapped block instance is manipulated by modifying the associated one or more structure attributes (such as color, figs. 5 and 7, col. 7, lines 38-53) and Ellis discloses that each displayed mapped block instance is manipulated by modifying the associated one or more information attributes (such as by altering the text of certain program blocks, figs. 8-11 and col. 9, lines 3-46). Applicant respectfully urges that neither of Lemmons nor Ellis provide the required teaching, motivation or suggestion for the asserted combination. Certainly, no teaching

or suggestion has been asserted. Regarding motivation of Claims 8 and 20, the Examiner's assertion that greater customization for the viewer would be allowed fails to properly demonstrate motivation, but rather, simply demonstrates impermissible hindsight reconstruction with the benefit of Applicant's disclosure. Further, no motivation is asserted with regard to Claims 9 and 21. The obviousness rejection is therefore respectfully traversed and reconsideration is respectfully requested.

Finally, Claims 11 and 23 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Lemmons '768 in view of Arsenault. Specifically, the Examiner states that Lemmons discloses the method and computer readable medium of Claims 10 and 22 but fails to disclose that the surface is a bar and that Arsenault discloses that the surface is a bar. The Examiner states that it would have been obvious to one skilled in the art to combine the bar layout of Arsenault with the EPG of Lemmons to provide the user with EPG data without using the entire screen. However, as previously urged, Lemmons is not three-dimensional and therefore Claims 11 and 23 should stand allowed upon allowance of their respective independent claims.

All grounds of objection and rejection having been overcome by the amendments hereinabove, reconsideration and a Notice of Allowance is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stefan V. Stein". The signature is fluid and cursive, with the first name "Stefan" and last name "Stein" clearly distinguishable.

Stefan V. Stein
Registration No. 29,702
Holland & Knight LLP
Suite 4100
100 N. Tampa Street
Tampa, Florida 33602-3644
Telephone: 813/227-8500
Facsimile: 813/229-0134